

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 27, 2010**

**DIVISION ONE**

B213233      Church of Christ in Hollywood, et al.      (Not for Publication)  
                 v.  
                 Lady Cage-Barile

The order is affirmed.

Mallano, P.J.

We concur:    Rothschild, J.  
                 Johnson, J.

B215900      Shapiro, et al.      (Not for Publication)  
                 v.  
                 Professional Interactive Entertainment, Inc., et al.

The default judgment is reversed and the cause is remanded to the trial court with directions that the trial court grant defendants' motion to set aside their defaults filed on February 17, 2009, and afford defendants a reasonable time to file their answers to the complaints. The trial court shall also direct Michael Traylor to pay reasonable compensatory legal fees and costs to opposing counsel or parties in connection with defendants' motions for relief from default in the trial court through March 17, 2009. In the interests of justice, the parties are to bear their own costs on appeal.

Mallano, P.J.

We concur:    Rothschild, J.  
                 Johnson, J.

April 27, 2010 (Continued)

## DIVISION ONE (continued)

B212941      Snow      (Not for Publication)  
v.  
2340 PCH, LLC

The judgment is affirmed. Insofar as the appeal purports to embrace the subsequent order awarding attorney fees, the appeal is dismissed. Appellant's Motion for Sanctions is denied. Respondent's Motion for Sanctions is denied.

Chaney, J.

We concur:   Mallano, P.J.  
                      Johnson, J.

B212621      Sligh      (Not for Publication)  
v.  
City of Los Angeles Police Department

Because plaintiff was unable to present a prima facie showing that the discrimination, harassment, and retaliation she allegedly suffered resulted in any adverse employment action by the Department, summary judgment was properly entered. The judgment is affirmed. Defendant is entitled to costs on appeal.

Chaney, J.

We concur:   Mallano, P.J.  
                      Rothschild, J.

B213975 Klein (Not for Publication)  
v.  
Longs Drug Stores California, Inc., et al.

The judgment is affirmed.

Chaney, J.

We concur:   Rothschild, Acting P.J.  
                      Johnson, J.

## DIVISION ONE (continued)

[illegible]

The order resentencing the defendant is affirmed.

Rothschild, J.

We concur:   Mallano, P.J.  
                      Johnson, J.

B213075 Courtney J. Stewart (Not for Publication)  
v.  
James C. Stewart

The portions of the order striking the conditions and provision for Child Support 2 and striking the provision for long-term investment accounts for children are reversed. The portion of the order finding that EOP was bonus income rather than the equivalent of EICP stock is also reversed. The matter is remanded to the trial court with directions to enter an order that EOP stock is to be treated the same as EICP stock for the purposes of determining support, to determine support arrearages in accordance with this opinion, and make any orders adjusting the parties' financial obligations as required. The order is otherwise affirmed. The parties are to bear their own costs on appeal.

Rothschild, Acting P.J.

We concur: Chaney, J.  
Johnson, J.

April 27, 2010 (Continued)

DIVISION ONE (continued)

B215272      Heritage Entertainment, LLC      (Not for Publication)  
                 v.  
                 First Look Studios, Inc.

The judgment is affirmed. Respondent shall recover its costs of appeal.

Rothschild, Acting P.J.

We concur:    Chaney, J.  
                         Johnson, J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter,  
Deputy Clerk.

Each of the following:

B217033 Reyes v. Reyes  
B218654 DCFS v. A.R. et al.  
B214684 People v. Riley  
B214453 People v. Mendez  
B213397 People v. Dunn  
B215177 People v. Davis  
B212953 Marlon Barillas v. Fazar Link Mohammed  
B202011 People v. Bradley  
B213106 People v. Porcha  
B214196 People v. Newsom  
B217440 People v. Ester  
B211212 People v. Whitmore

Argument waived, cause submitted.

DIVISION TWO (continued)

B213442     Spongberg  
              v.  
              First Source Wyoming, Inc., et al.

Merits:  
Argued by Douglas M. Campbell for appellant and by no appearance by respondent. Cause submitted.

B213997     Aguiar  
              v.  
              Brockman

Merits:  
Argued by John R. Blanchard for appellant and by Taline Kizirian for respondent. Cause submitted.

B216451     NTL Capital LLC  
              v.  
              C/Net Solutions of Tennessee LLC et al.

Merits:  
Argued by Mark N. Strom for appellant and by Robert F. Brennan for respondents. Cause submitted.

B209518     Jerry DeMille and Michael DeMille  
              v.  
              Citizens Business Bank, et al.

Merits:  
Argued by Lee B. Ackerman for appellants Jerry DeMille and Michael DeMille; by Vikram Brar for appellant Michael DeMille; by Alana Rotter for respondent Citizens Business Bank and by Henry Dearing for respondent The Church of Jesus Christ of Latter Day Saints. Cause submitted.

Court recessed.

April 27, 2010 (Continued)

DIVISION TWO (continued)

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman,  
Deputy Clerk.

Each of the following:

B208023 People v. Solorio and Gonzalez  
B219324 In re Brianne P. (DCFS v. Brian P.)  
B213116 People v. Cooper  
B215829 People v. Henley  
B218648 In re M.F. (DCFS v. M.S. and M.F.)  
B216553 People v. Foley  
B215795 People v. Bravo

Argument waived, cause submitted.

B212724     Ramsey  
                 v.  
                 Ramsey

Merits:

Argued by Frank Fox for respondent and waiver of oral argument for  
appellant. Cause submitted.

B215607     A.C.  
                 v.  
                 Pomona Unified School District

Merits:

Argued by Jeffrey Ehrlich for appellant and by Stephen Harber for  
respondent. Cause submitted.

April 27, 2010 (Continued)

## DIVISION TWO (continued)

B215952      Gonzalez  
v.  
IHG Management Maryland LLC, et al.

Merits:  
Argued by Irving Meyer for appellant and by Raymond Kepner for respondents. Cause submitted.

Court adjourned.

DIVISION FOUR

[illegible]

The judgment of dismissal is reversed. The trial court shall vacate its order sustaining the demurrer without leave to amend and shall stay the present action pending the federal district court's ruling on plaintiff's petition for writ of habeas corpus. If the petition is granted, the court shall permit plaintiff to amend his complaint to allege exoneration; if the petition is denied, the court may consider White's demurer. Each party shall bear his or her own costs on appeal.

Suzukawa, J.

We concur: Epstein, P.J.  
Willhite, J.

B216147 Federal Insurance Company (Not for Publication)  
v.  
American Home Assurance Company

The judgment is affirmed. American Home is awarded its costs.

Suzukawa, J.

We concur: Epstein, P.J.  
Manella, J.

DIVISION FOUR (continued)

B213423      Mosich      (Not for Publication)  
                 v.  
                 Bowman

The award of \$146,000 in damages to BRI is reversed. As no appeal was taken from the portion of the judgment in favor of Bowman on Mosich's complaint and in favor of Mosich and BRI on Bowman's cross-complaints, those findings are affirmed. The parties are to bear their own costs on appeal.

Suzukawa, J.

We concur: Epstein, P.J.  
                 Manella, J.

B214544      People      (Not for Publication)  
                 v.  
                 Pugh

The conviction for petty theft with a prior is reversed. The clerk of the superior court is directed to amend the abstract of judgment and to forward a copy to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.  
                 Willhite, J.

B214024      700 Wilshire Properties      (Not for Publication)  
                 v.  
                 Los Angeles Community College District

The appeal is dismissed as moot.

Suzukawa, J.

We concur: Epstein, P.J.  
                 Manella, J.



DIVISION FIVE

B213484      Estate of Janice Helena Kraus      (Certified for Publication)

v.

The Regents of the University of California, et al.

David Kraus

The December 19, 2008 judgment is affirmed. Petitioners, Make-A Wish Foundation of Greater Los Angeles and The Regents of the University of California, are to recover their costs on appeal from the objector, David Kraus.

Turner, P.J.

We concur:    Armstrong, J.  
Mosk, J.

B215479      Fred Owens      (Not for Publication)

v.

California Department of Corrections and Rehabilitation

The judgment is reversed. Each party to bear their own costs.

Mosk, J.

I concur:      Armstrong, J.  
I concur:      Turner, P.J (opinion)

DIVISION SIX

B212352      People      (Not for Publication)

v.

Casares

The judgment is affirmed.

Yegan, Acting P.J.

We concur:    Coffee, J.  
Perren, J.

April 27, 2010 (Continued)

DIVISION SIX (continued)

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

## DIVISION SEVEN

B219957      HACLA  
v.  
Porron-Villasana, et al.

B221677      HACLA  
v.  
Benitez-Morales

Filed order consolidating above appeals under case number B219957.